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 LOS ANGELES TURF CLUB, INCORPORATED,  
 LOS ANGELES TURF CLUB II, INC.,  
 PACIFIC RACING ASSOCIATION, PACIFIC RACING  
 ASSOCIATION II, GULFSTREAM PARK RACING  
 ASSOCIATION, INC., OREGON RACING, INC.,  
 MARYLAND JOCKEY CLUB OF BALTIMORE CITY, INC.,  
 and LAUREL RACING ASSOCIATION, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES TURF CLUB, ) Case No.: 2:15-cv-9332 SJO (JEMx)  
 INCORPORATED, a California )  
 Corporation, LOS ANGELES TURF ) Hon. S. James Otero  
 CLUB II, INC., a California Corporation, )

PACIFIC RACING ASSOCIATION, a ) **PARTIES' JOINT WITNESS LIST**  
 California Corporation, PACIFIC ) **[Local Rule 16-5]**  
 RACING ASSOCIATION II, a California )

Corporation, GULFSTREAM PARK ) Date Filed: December 3, 2015  
 RACING ASSOCIATION, INC., a ) Discovery Cutoff: March 27, 2017  
 Florida Corporation, OREGON RACING, ) Final Pretrial Conf.: June 19, 2017  
 INC., a Delaware Corporation, ) Trial Date: June 27, 2017  
 MARYLAND JOCKEY CLUB OF )

BALTIMORE CITY, INC., a Maryland )  
 Corporation, LAUREL RACING )  
 ASSOCIATION, INC., a Maryland )  
 Corporation, and DOES 1 through 10, )  
 inclusive, )

Plaintiffs, )

vs. )

HORSE RACING LABS, LLC, a )  
 Delaware Limited Liability Company, )

also known as, IMMERSE, LLC, doing )  
 business as DERBYWARS, and Does 1 )  
 through 10, )  
 Defendants. )

Plaintiffs and Defendant hereby submit their Joint Witness List, in accordance with Local Rules of the Central District of California, Rule 16-5, and Section 1.B.3. of the Order re Jury/Court Trial for Civil Cases Assigned to Judge S. James Otero:

### **PLAINTIFFS**

Plaintiffs hereby submit their list of witnesses expected to testify at trial, with those whom Plaintiff will only call if the need arises identified with one asterisk\*, and those who will only be called by Defendant, if at all, marked with 2 asterisks\*\*:

<b>Witness Name</b>	<b>Summary of Anticipated Testimony</b>	<b>Direct</b>	<b>Cross<sup>1</sup></b>	<b>Re-Direct</b>	<b>Re-Cross</b>
<b>**ANDREW ARTHUR</b> , 285 West Huntington Drive, Arcadia, CA 91007, (626-574-6223).	Defendant has stated that it intends to call Mr. Arthur as an adverse witness, concerning Plaintiff Los Angeles Turf Club, Incorporated's relationship with Defendant.		20 mins.		10 mins.
<b>**GREGORY AVIOLI</b> , 285 West Huntington Drive, Arcadia, CA 91007, (626-574-6620).	Defendant has stated that it intends to call Mr. Avioli to testify about industry subjects, and the Thoroughbred Owners of California's involvement		45 mins.		15 mins.

<sup>1</sup> Time estimates for cross examination and re-cross examination are subject to the scope of Defendant's direct examination.

		in the industry.				
1						
2	<b>*RICK</b>	Mr. Baedeker would	90		20	
3	<b>BAEDEKER,</b>	testify as to the policies	mins.		mins.	
4	Executive Director,	and procedures of the				
5	California Horse	California Horse Racing				
6	Racing Board, 1010	Board, the horse racing				
7	Hurley Way, Suite	business in California and				
8	300, Sacramento, CA	nationally, and				
9	95825, (916) 263-	communications with				
10	6000.	Defendant.				
11	<b>**MICHAEL</b>	Defendant has indicated		1 hr.		20
12	<b>CALDERONE,</b>	that it intends to call Mr.				mins.
13	address unknown.	Calderone to testify as to				
14		Plaintiffs' dealings with				
15		Defendant.				
16	<b>**ED COMINS, 25</b>	Defendant has indicated		30		10
17	<b>Cadillac Drive, Suite</b>	that it intends to call Mr.		mins.		mins.
18	<b>201, Sacramento, CA</b>	Comins to testify as to				
19	<b>95825, (925) 336-</b>	Plaintiffs and				
20	<b>4499.</b>	Defendant's dealings				
21		with Watch and Wager.				
22	<b>SCOTT DARUTY,</b>	Mr. Daruty will testify as	4 hrs.		1 hr.	
23	<b>285 West Huntington</b>	to the operation and				
24	<b>Drive, Arcadia, CA</b>	finances of Plaintiffs'				
25	<b>91007, (626) 574-</b>	race tracks, Plaintiffs'				
26	<b>7223.</b>	financial structure,				
27		Plaintiffs' relationship				
28		with Defendant and the				
		Defendant Contests, the				
		absence of consent to				
		Defendant, the decision				
		to bring this litigation,				
		and underlying facts in				
		support of Plaintiffs'				
		expert opinions.				
	<b>**MARIA</b>	Defendant has indicated		15		5
	<b>GARDOCE, 11355</b>	that it may call Ms.		mins.		mins.
	<b>West Olympic</b>	Gardoce to testify as to				
	<b>Boulevard, Los</b>	the preparation of				
	<b>Angeles, CA 90064,</b>	compilations of evidence				
	<b>(310) 312-4000.</b>	and charts.				

1	<b>**RANDAL D. HEEB</b> , 1300 Eye Street NW, Suite 600, Washington, D.C. 20005, (202) 747-5968.	Defendant has indicated that it may call Dr. Heeb if the need arises, as its expert witness. Plaintiffs intend to offer Dr. Heeb's testimony by deposition, and if called as a live witness by Defendant, the time estimates are as herein set forth.		15 mins.		10 mins.
2						
3						
4						
5						
6						
7						
8	<b>*DOUG ILLIG</b> , 5201 Park Heights Avenue, Baltimore, MD 21215, (410) 542-9400.	Mr. Illig would testify as to the operations and finances of Plaintiffs Maryland Jockey Club of Baltimore City, Inc., and Laurel Racing Association, Inc.	1 hr.		15 mins.	
9						
10						
11						
12						
13	<b>*GINA LAVO</b> , 285 West Huntington Drive, Arcadia, CA 91007, (626) 574-6380.	Ms. Lavo would testify as to the operations and finances of Plaintiffs Los Angeles Turf Club, Incorporated, Los Angeles Turf Club II, Inc., Pacific Racing Association and Pacific Racing Association II.	75 mins.		15 mins.	
14						
15						
16						
17						
18						
19	<b>MARK MIDLAND</b> , 714 W. Main Street, Louisville, KY 40202.	Mr. Midland will testify as an adverse witness, concerning Defendant's business, operations, finances and dealings with Plaintiffs, and the factual basis for Defendant's affirmative defenses.	3 hrs.		90 mins.	
20						
21						
22						
23						
24						
25	<b>*VESTAL MONROE</b> , 1001 North Schmeer Road, Portland, OR, 97217, (503) 285-9144.	Ms. Monroe would testify as to the operations and finances of Plaintiff Oregon Racing, Inc.	45 mins.		15 mins.	
26						
27						
28						

1	<b>JOE MORRIS</b> , 285	Mr. Morris will testify as	3 hrs.		45	
2	West Huntington	to the horse racing			mins.	
3	Drive, Arcadia, CA	industry in general,				
4	91007, (626) 574-	prevailing issues				
5	7223.	concerning fantasy				
6		horseracing, industry				
7		stakeholders' positions on				
8		fantasy horseracing				
9		contests, the role of the				
10		horsemen in the industry,				
11		and the effect of				
12		Defendant's activities.				
13	<b>**NATE NEWBY</b> ,	Defendant has stated that		1 hr.		10
14	285 West Huntington	it intends to call Mr.				mins.
15	Drive, Arcadia, CA	Newby as an adverse				
16	91007, (626) 574-	witness, concerning				
17	6223.	Plaintiff Los Angeles				
18		Turf Club, Incorporated's				
19		relationship with				
20		Defendant.				
21	<b>*TIM RITVO</b> , 901	Mr. Ritvo would testify	2.5		1 hr.	
22	South Federal	as to the business of	hrs.			
23	Highway, Hallandale	Plaintiffs Gulfstream				
24	Beach, FL 33009,	Park Racing Association,				
25	(954) 454-7000.	Inc., Maryland Jockey				
26		Club of Baltimore City,				
27		Inc., and Laurel Racing				
28		Association, Inc., general				
		horseracing industry				
		issues and the decision to				
		bring this litigation.				
	<b>*MIKE ROGERS</b> ,	Mr. Rogers would testify	2 hrs.		45	
	455 Magna Drive,	as to Plaintiffs' business			mins.	
	Aurora, Ontario,	operations, his dealings				
	Canada, L4G 7A9,	with Defendant and the				
	(905) 726-7624.	decision to bring this				
		litigation.				
	<b>*MICHAEL</b>	Mr. Romano would	1 hr.		30	
	<b>ROMANO</b> , 901	testify as to the			mins.	
	South Federal	operations and finances				
	Highway, Hallandale	of Plaintiff Gulfstream				

1	Beach, FL 33009, (954) 454-7000.	Park Racing Association, Inc.				
2	<b>**CHRIS SCHICK,</b>	Defendant has indicated		15		5
3	25 Cadillac Drive,	that it intends to call Mr.		mins.		mins.
4	Suite 201,	Schick to testify about				
5	Sacramento, CA	Watch and Wager, and its				
6	95825, (925-243- 8215).	dealings with Defendant and the CHRB.				
7	<b>MIKE SHUTTY,</b>	Mr. Shutty will testify as	90		30	
8	714 W. Main Street,	an adverse witness,	mins.		mins.	
9	Louisville, KY	concerning Defendant's				
10	40202.	business, operations and				
11		finances, as well as				
12		dealings with Plaintiffs,				
13	<b>DAVID R.</b>	and the factual basis for				
14	<b>TANTLINGER,</b>	Defendant's affirmative				
15	JR., 8391 East	defenses.				
16	Washington Street,		2 hrs.		30	
17	Chagrin Falls, OH	Mr. Tantlinger, Plaintiffs'			mins.	
18	44023, (440) 708- 2383.	expert witness, will				
19		testify on his background,				
20		and the contents of his				
21		Expert Reports, including				
22		Plaintiffs' damages.				

**DEFENDANT**

21	Witness Name	Summary of Anticipated Testimony	Direct	Cross	Re- Direct	Re- Cross
22	Mark Midland	Derby Wars anticipates	4 hrs		1 hr	
23	c/o Manatt, Phelps &	that Mr. Midland will				
24	Phillips, LLP	testify to, among other				
25	11355 West Olympic	topics, the facts and				
26	Boulevard	circumstances concerning				
27	Los Angeles,	or relating to Plaintiffs'				
28	California 90064	claims, allegations, and				
	Tel.: (310) 312-4000	purported damages in this action; Derby Wars'				

1 contentions and  
 2 affirmative defenses in  
 3 this action, including  
 4 Derby Wars' statute of  
 5 limitations, unclean hands  
 6 and estoppel defenses;  
 7 corporate structure of  
 8 Horse Racing Labs;  
 9 Derby Wars' business  
 10 and the structure, rules  
 11 and operation of Derby  
 12 Wars' fantasy horse  
 13 racing contests; his and  
 14 Derby Wars'  
 15 communications,  
 16 business dealings and  
 17 relationships with  
 18 Plaintiffs and the  
 19 Stronach Group and/or  
 20 their respective  
 21 representatives or  
 22 affiliates; cross marketing  
 23 efforts between Plaintiffs  
 24 and Derby Wars;  
 25 discussions with  
 26 Plaintiffs regarding  
 27 potential business  
 28 dealings and/or resolution  
 of this matter; the  
 creation and development  
 of Derby Wars; the  
 expenditure of time,  
 funds and resources to  
 grow Derby Wars'  
 business; Derby Wars'  
 reliance upon Plaintiffs'  
 inaction in building its  
 business and resulting  
 harm to Derby Wars; the  
 management structure of  
 Derby Wars; the financial  
 aspects of Derby Wars'

1		contests and revenues;				
2		the effect of fantasy horse				
3		racing contests on handle;				
4		his and Derby Wars'				
5		communications,				
6		relationships,				
7		sponsorships, and/or				
8		agreements with third				
9		party race tracks and				
10		other entities; and				
11		parimutuel wagering on				
12		horse races at Plaintiffs'				
13		tracks and under				
14		applicable laws.				
15	Michael Shutty	Derby Wars anticipates	1 hr		.5 hr	
16	c/o Manatt, Phelps &	that Mr. Shutty will				
17	Phillips, LLP	testify to, among other				
18	11355 West Olympic	topics, the creation and				
19	Boulevard	development of Derby				
20	Los Angeles,	Wars; investment made in				
21	California 90064	Derby Wars to grow				
22	Tel.: (310) 312-4000	Derby Wars' business;				
23		the impact of fantasy				
24		horse racing contest sites				
25		and/or handicapping				
26		contests on the horse				
27		racing industry; his and				
28		Derby Wars'				
		communications,				
		relationships, and/or				
		agreements with				
		Plaintiffs, the Stronach				
		Group or third parties				
		regarding Derby Wars;				
		and discussions with				
		Plaintiffs regarding				
		potential business				
		dealings and/or resolution				
		of this matter.				



1	Mike Rogers <sup>2</sup>	Derby Wars anticipates		1 hr		--
2	(by deposition)	that Mr. Rogers will				
3	c/o Corbett,	testify to, among other				
4	Steelman & Specter	topics, parimutuel				
5	18200 Von Karman	wagering on horse racing				
6	Ave., Suite 825	in general and operation				
7	Irvine, California	of Plaintiffs' racetracks;				
8	92612	the scope of Plaintiffs'				
9	Tel.: (949) 553-9266	licenses to operate race				
10		tracks and accept wagers				
11		on horse races;				
12		relationships with and				
13		between Plaintiffs and the				
14		Stronach Group; Stronach				
15		Group executive board				
16		meetings regarding this				
17		litigation; his and				
18		Plaintiffs' and/or the				
19		Stronach Group's				
20		knowledge of and				
21		business dealings,				
22		communications and				
23		agreements with Derby				
24		Wars and other fantasy				
25		horse racing and/or				
26		handicapping contest				
27		sites; Michael				
28		Calderone's employment,				
		affiliations and/or agency				
		with the Stronach Group				
		and Plaintiffs; meeting				
		with Mark Midland at the				
		2012 Breeders' Cup;				
		parimutuel wagering on				
		horse races at Plaintiffs'				
		tracks and under				

<sup>2</sup> Derby Wars will offer the testimony of Mike Rogers by deposition based on Plaintiffs' representation that they will not make Mr. Rogers available to testify live at trial. Derby Wars expressly reserves the right to amend its time estimates if Mr. Rogers appears at trial.

	applicable laws; analysis of potential claims against Derby Wars and decision to file the instant lawsuit; Plaintiffs' purported damages; internal communications regarding a potential business relationship with Derby Wars and resolution of this matter; communications with third parties, including the NTRA and Breeder's Cup, about Derby Wars.				
<p>Timothy Ritvo<sup>3</sup> (by deposition)</p> <p>c/o Corbett, Steelman &amp; Specter 18200 Von Karman Ave., Suite 825 Irvine, California 92612 Tel.: (949) 553-9266</p>	<p>Derby Wars anticipates that Mr. Ritvo will testify to, among other topics, Plaintiffs' race track operations, including specifically operations in Maryland and Florida; the scope of Plaintiffs' licenses; his and Plaintiffs' and/or the Stronach Group's communications, relationships, and/or agreements with Derby Wars and other fantasy horse racing and/or handicapping contest sites; Michael Calderone's employment, affiliations and/or agency with the Stronach Group</p>		1 hr		--

<sup>3</sup> Derby Wars will offer the testimony of Timothy Ritvo by deposition based on Plaintiffs' representation that they will not make Mr. Ritvo available to testify live at trial. Derby Wars expressly reserves the right to amend its time estimates if Mr. Ritvo appears at trial.

1		and Plaintiffs; amount of				
2		handle at Plaintiffs’				
3		tracks and in the U.S.; the				
4		decision to file the instant				
5		lawsuit; parimutuel				
6		wagering on horse races				
7		at Plaintiffs’ tracks and				
8		under applicable laws; the				
9		Big One contest; internal				
10		communications				
11		regarding a potential				
12		business relationship with				
13		Derby Wars and				
14		resolution of this matter;				
15		Stronach Group executive				
16		board meetings regarding				
17		this litigation.				
18	Scott Daruty <sup>4</sup>	Derby Wars anticipates		3.5		1 hr
19	(adverse)	that Mr. Daruty will		hrs		
20	c/o Corbett,	testify to, among other				
21	Steelman & Specter	things, the executive				
22	18200 Von Karman	structure of the Stronach				
23	Ave., Suite 825	Group and Plaintiffs’				
24	Irvine, California	relationship or affiliation				
25	92612	with the Stronach Group;				
26	Tel.: (949) 553-9266	his and Plaintiffs’ and/or				
27		the Stronach Group’s				
28		knowledge of and				
		business dealings,				
		communications and				
		relationship with Derby				
		Wars; Michael				
		Calderone’s employment,				
		affiliations and/or agency				
		with the Stronach Group				
		and Plaintiffs; facts and				

<sup>4</sup> Plaintiffs have indicated that they intend to offer Scott Daruty’s testimony on direct examination. However, if Plaintiffs do not call Mr. Daruty to testify, Derby Wars will call him as an adverse witness in its case in chief, and estimates that it will spend 3.5 hours on direct examination, and 1 hour on redirect.

1 circumstances concerning  
 2 or relating to Plaintiffs'  
 3 claims, allegations, and  
 4 purported damages in this  
 5 action; his and Plaintiffs'  
 6 and/or the Stronach  
 7 Group's knowledge of  
 8 and business dealings,  
 9 communications and  
 10 relationships with  
 11 operators of fantasy horse  
 12 racing contests;  
 13 parimutuel wagering on  
 14 horse races at Plaintiffs'  
 15 tracks and under  
 16 applicable laws;  
 17 Plaintiffs' applications  
 18 and licenses to operate  
 19 horse racing tracks in  
 20 California; agreements  
 21 between Plaintiffs and/or  
 22 Monarch Content  
 23 Management and third  
 24 parties, including  
 25 simulcasting, hub fee,  
 26 source market fee and  
 27 Advanced Deposit  
 28 Wagering ("ADW")  
 agreements, regarding  
 horse wagering; host,  
 source market and other  
 fees paid to race tracks  
 for wagering on horse  
 races at those tracks;  
 charts relating to host and  
 other fees paid to race  
 tracks for wagering on  
 horse races at those  
 tracks; Plaintiffs'  
 operation of race tracks;  
 communications,  
 agreements and

1		relationships between				
2		Plaintiffs and horsemen's				
3		groups and host states;				
4		Plaintiffs' interactions				
5		with state horse racing				
6		boards and commissions				
7		and state legislatures,				
8		including specifically the				
9		California Horse Racing				
10		Board ("CHRB"); Mr.				
11		Daruty's testimony at				
12		CHRB meetings;				
13		Plaintiffs' analysis of and				
14		decision to file the				
15		present lawsuit;				
16		communications with				
17		third parties, including				
18		TVG and				
19		WatchandWager, about				
20		Derby Wars; and				
21		discussions with Derby				
22		Wars about a business				
23		relationship and potential				
24		resolution of this matter.				
25						
26	Joe Morris <sup>5</sup>	Derby Wars anticipates		1 hr		.5 hr
27	(adverse)	that Mr. Morris will				
28		testify to, among other				
29	c/o Corbett,	topics, Plaintiffs' claims,				
30	Steelman & Specter	allegations, and purported				
31	18200 Von Karman	damages as they relate to				
32	Ave., Suite 825	Plaintiffs' California				
33	Irvine, California	tracks; Plaintiffs' and/or				
34	92612	the Stronach Group's				
35	Tel.: (949) 553-9266	communications,				
36		relationships, and/or				
37		agreements with the				

<sup>5</sup> Plaintiffs have indicated that they intend to offer Joe Morris's testimony on direct examination. However, if Plaintiffs do not call Mr. Morris to testify, Derby Wars will call him as an adverse witness in its case in chief, and estimates that it will spend 1 hour on direct examination, and 30 minutes on redirect.

	Thoroughbred Owners of California; and Plaintiffs' applications and licenses to operate race tracks and/or to accept parimutuel wagers on horse races in California.				
Nate Newby ( <i>adverse</i> )  c/o Corbett, Steelman & Specter 18200 Von Karman Ave., Suite 825 Irvine, California 92612 Tel.: (949) 553-9266	Derby Wars anticipates that Mr. Newby will testify to, among other topics, LATC's and/or LATC II's (including specifically Santa Anita Park's) knowledge of and/or business dealings, communications and relationships with Derby Wars; LATC's and/or LATC II's (including specifically Santa Anita Park's) knowledge of and/or business dealings, communications and relationships with other fantasy contest operators; Derby Wars' business operations; joint marketing efforts by and between Derby Wars and Santa Anita Park; contests offered by Santa Anita Park; marketing by Santa Anita Park of Derby Wars; and the effect of fantasy horse racing contests and/or handicapping contests on handle at Santa Anita Park.	2 hrs		.5 hr	
Andrew Arthur ( <i>adverse</i> )	Derby Wars anticipates that Mr. Arthur will	1 hr		.5 hr	

1	c/o Corbett,	testify to, among other				
2	Steelman & Specter	topics, the Stronach				
3	18200 Von Karman	Group's, LATC's and				
4	Ave., Suite 825	LATC II's knowledge of,				
5	Irvine, California	communications with,				
6	92612	and/or business dealings				
7	Tel.: (949) 553-9266	with Derby Wars between				
8		2011 and 2015,				
9		specifically as they relate				
10		to Santa Anita Park.				
11	Eric Sindler	Derby Wars anticipates	.5 hr		.25 hr	
12	(if the need arises)	that Mr. Sindler will				
13	c/o Corbett,	testify to, among other				
14	Steelman & Specter	topics, agreements				
15	18200 Von Karman	between Plaintiffs and/or				
16	Ave., Suite 825	Monarch Content				
17	Irvine, California	Management with third				
18	92612	parties; Plaintiffs'				
19	Tel.: (949) 553-9266	applications and licenses				
20		to operate race tracks				
21		and/or to accept				
22		parimutuel wagers on				
23		horse races.				
24	Michael Calderone	Derby Wars anticipates	2 hrs		.5 hr	
25	Address unknown at	that Mr. Calderone will				
26	this time	testify to, among other				
27	Tel.: (702) 280-0849	topics, Plaintiffs' and/or				
28		the Stronach Group's				
		knowledge of and				
		business dealings,				
		communications and				
		relationships with Derby				
		Wars; Mr. Calderone's				
		position at the Stronach				
		Group and/or Plaintiffs				
		and his authority to act on				
		behalf of Plaintiffs;				
		emails that Mr. Calderone				
		sent or received relating				
		to Horse Racing Nation				
		and Derby Wars; internal				

	and external communications Mr. Calderone had with others regarding Horse Racing Nation and Derby Wars or other contest sites; the effect of fantasy horse racing contests on handle; and Plaintiffs' relationship and/or affiliation with the Stronach Group.				
<p>Gregory Avioli</p> <p>285 West Huntington Drive</p> <p>Arcadia, California 91007</p> <p>Tel.: (626) 574-6620</p>	<p>Derby Wars anticipates that Mr. Avioli will testify to, among other topics, Plaintiffs' and/or the Stronach Group's communications, agreements, approvals and/or relationships with the Thoroughbred Owners of California; his and Plaintiffs and/or the Stronach Group's communications, agreements and/or relationships with Derby Wars; Derby Wars' business operations in 2011-2012; Plaintiffs' and/or the Stronach Group's business operations, including specifically during the time period of 2011 and 2012; Plaintiffs' applications and licenses to operate race tracks and offer parimutuel wagering on horse races in California in 2011 and</p>	1.5 hrs		.5 hr	



1		2012; ADW wagering, including host and source marketing fees.				
2						
3	Ed Comins	Derby Wars anticipates	1 hr		.5 hr	
4	25 Cadillac Drive,	that Mr. Comins will				
5	Suite 201	testify to, among other				
6	Sacramento,	topics, his relationship				
7	California 95825	with Watch and Wager;				
8	Tel.: (925) 336-4499	his and Watch and				
9		Wager's				
10		communications,				
11		negotiations and/or				
12		agreements with Derby				
13		Wars; Plaintiffs' and/or				
14		the Stronach Group's				
15		communications,				
16		business dealings, and/or				
17		agreements with Watch				
18		and Wager; Watch and				
19		Wager's communications				
20		with the CHRB,				
21		Plaintiffs, Monarch,				
22		and/or the Stronach				
23		Group regarding Derby				
24		Wars and/or fantasy horse				
25		racing contests; the scope				
26		of licenses issued to				
27		Watch and Wager by the				
28		CHRB; and reporting				
		requirements of Watch				
		and Wager to CHRB.				
	Chris Schick	Derby Wars anticipates	.5 hr		.25 hr	
	(if the need arises)	that Mr. Schick will				
	25 Cadillac Drive,	testify to, among other				
	Suite 201	topics, his employment				
	Sacramento,	with Watch and Wager;				
	California 95825	his and Watch and				
	Tel.: (916) 243-8215	Wager's				
		communications,				
		negotiations and/or				
		agreements with Derby				

	Wars; and Mr. Schick's communications with the CHRB regarding Derby Wars and fantasy horse racing contests.				
John Ford (by deposition)  115 Sansome Street, Suite 1050 San Francisco, California 95104 Tel.: (925) 942-9000	Derby Wars anticipates that Mr. Ford will testify to, among other topics, Plaintiffs' and/or the Stronach Group's and/or Monarch's communications, relationships, negotiations, and/or agreements with BetAmerica; the operation of and market for daily fantasy horseracing contests and/or handicapping contests; the effect of fantasy horse racing contests on handle; parimutuel and ADW wagering, fees and licensing; reporting requirements for BetAmerica pursuant to BetAmerica's ADW license; and BetAmerica's communications with state horse racing boards or commissions, including specifically the CHRB and North Dakota Racing Commission.	.75 hr		--	
Rick Baedeker (if the need arises)  c/o CHRB General	Derby Wars anticipates that Mr. Baedeker will testify to, among other topics, regulation of	1 hr		.5 hr	

1 2 3 4 5 6 7 8 9 10 11 12 13 14	Counsel 1010 Hurley Way, Suite 300 Sacramento, California 95825 Tel.: (916) 263-6000	parimutuel wagering on horse races in California; reporting requirements of licensees; Plaintiffs' and/or the Stronach Group's communications, applications and licenses with the CHRB; communications with Watch and Wager regarding fantasy horse racing contests, including WatchandWager's relationship with Derby Wars; meetings of the CHRB; and past or ongoing legislative efforts to regulate fantasy horse racing contests in California.				
15 16 17 18 19 20 21	Randal Heeb, Ph.D. (expert) <i>(if the need arises)</i> c/o Manatt, Phelps & Phillips, LLP 11355 West Olympic Boulevard Los Angeles, California 90064 Tel.: (310) 312-4000	Derby Wars anticipates that Dr. Heeb will provide testimony regarding his qualifications and expert testimony regarding the substance of his report and his conclusions, including the revenues for Derby Wars' contests.	.5 hr		--	
22 23 24 25 26 27 28	Maria Gardoce <i>(if the need arises)</i> c/o Manatt, Phelps & Phillips, LLP 11355 West Olympic Boulevard Los Angeles, California 90064 Tel.: (310) 312-4000	Derby Wars anticipates that Ms. Gardoce will testify to compilations, charts, calculations, and/or summaries of evidence.	.75 hr		.25 hr	

Plaintiffs have designated several additional witnesses that they intend to call at trial. Derby Wars reserves its right to examine these witnesses on cross examination and re-cross examination. Accordingly, Derby Wars provides its time estimates for such examinations as set forth below.

Witness Name	Direct	Cross	Re-Direct	Re-Cross
Doug Illig		.75 hr		.25 hr
Gina Lavo		1 hr		.25 hr
Vestal Monroe		.5 hr		.25 hr
Michael Romano		.75 hr		.25 hr
David R. Tantlinger, Jr.		2 hrs		1 hr

Dated: May 26, 2017

CORBETT, STEELMAN & SPECTER  
Richard B. Specter  
Diane L. Ellis

By: /s/ Richard B. Specter  
Richard B. Specter  
*Attorneys for Plaintiffs*

Dated: May 26, 2017

MANATT, PHELPS & PHILLIPS, LLP  
Matthew P. Kanny  
Arunabha Bhounik  
Maura K. Gierl

By: /s/ Matthew P. Kanny  
Matthew P. Kanny  
*Attorneys for Defendant*

**LOCAL RULE 5-4.3.4(a)(2)(i) CERTIFICATION**

The filer of this document attests that all other signatories listed above on whose behalf this filing is submitted concur in the filing's content and have authorized the filing.